

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the Matter of the Application of Grain Belt Express )  
Clean Line LLC for a Certificate of Convenience and )  
Necessity Authorizing it to Construct, Own, Operate, )  
Control, Manage, and Maintain a High Voltage, Direct ) Case No. EA-2016-0358  
Current Transmission Line and an Associated Converter )  
Station Providing an interconnection on the Maywood- )  
Montgomery 345 kV Transmission Line )

MOTION OF MISSOURI LANDOWNERS ALLIANCE  
FOR WAIVER OF COMMISSION REQUIREMENTS FOR DISTRIBUTION  
OF CERTAIN EXHIBIT AT EVIDENTIARY HEARINGS

Comes now the Missouri Landowners Alliance (MLA) and for the reasons set forth below respectfully requests that the Commission waive the requirement, with respect to one exhibit reference hereafter, that copies of exhibits offered at the evidentiary hearings be distributed to the bench and to counsel for all parties. In support of this Motion, the MLA states as follows:

1. On November 30, 2016, the MLA filed a Motion to Compel, one part of which sought a complete, unredacted version of the Grain Belt Express (GBE) request for Information (RFI) referenced by GBE's witness Mr. David Berry at page 24, lines 10-15 of his direct testimony in this case. In that Motion the MLA asked the Commission to take administrative notice of a redacted version of the RFI which had been provided to the MLA by GBE. The redacted version was submitted in the 2014 GBE case, No. EA-2014-0207, as Exhibit 335(HC), EFIS No. 427. The Motion to Compel was thereafter denied in an Order issued on December 21, 2016.

2. The MLA anticipates that it may offer into evidence at the evidentiary hearings in this case the same material which was received in the 2014 case as Exhibit 335(HC).

The material consists of 261 pages. Normally that would require that the MLA provide the Commissioners, the Law Judge and counsel for all parties with a copy of that material at the time it is introduced.

3. As indicated above, the documents in question are already on file in the 2014 case, and as such are accessible to all those who would normally be given a copy at the forthcoming hearings. This waiver is being requested simply to avoid needless duplication and distribution of voluminous material which is already available to all concerned.

4. If the MLA does offer the material in question at the evidentiary hearings, it would provide one copy for the court reporter.

5. In the 2014 case, the Commission approved a comparable Motion with respect to this same material.<sup>1</sup>

WHEREFORE, if the MLA does offer the redacted version of the responses to the RFI, which was Exhibit 335(HC) in the 2014 case, it respectfully asks that it be relieved of the obligation to provide that material to anyone other than the court reporter.

Respectfully submitted,

/s/ Paul A. Agathen  
Paul A. Agathen  
Attorney for the Missouri Landowners Alliance  
485 Oak Field Ct.  
Washington, MO 63090  
(636)980-6403  
[Paa0408@aol.com](mailto:Paa0408@aol.com)  
MO Bar No. 24756

---

<sup>1</sup> Order issued October 31, 2014, at EFIS 263.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was served by electronic mail upon counsel for all parties this 9<sup>th</sup> day of February, 2017.

/s/ Paul A. Agathen

Paul A. Agathen